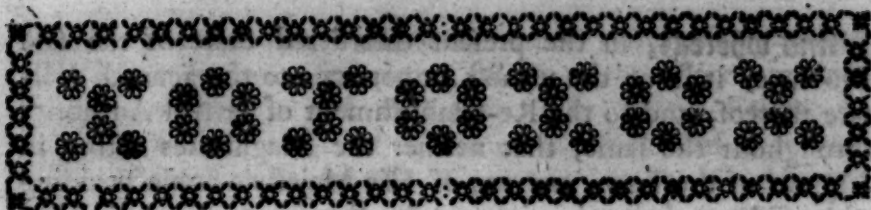


111229.25F\*  
12627 74.25F\*



20-1620

A  
B I L L  
F O R

The impartial Administration of Justice in the Cases  
of Persons questioned for any Acts done by them  
in the Execution of the Law, or for the Sup-  
pression of Riots and Tumults, in the Province  
of the *Massachusetts Bay*, in *New England*.

Note.—The Figures in the Margin denote the Number of the Folios  
in the written Copy.

XXXXX HEREBY in His Majesty's Province of *Massachusetts Bay*, in *New England*, an Attempt hath  
late been made to throw off the Authority of  
the Parliament of *Great Britain* over the said  
Province; and an actual and avowed Resistance,  
by open Force, to the Execution of certain Acts of Parlia-  
ment, hath been suffered to take place, uncontrouled and  
unpunished, in Defiance of His Majesty's Authority, and to  
the utter Subversion of all lawful Government:

And

And whereas, in the present disordered State of the said Province, it is of the utmost Importance to the general Welfare thereof, and to the Re-establishment of lawful Authority throughout the same, that neither the Magistrates acting in Support of the Laws, nor any of His Majesty's Subjects aiding and assisting them therein, or in the Suppression of Riots and Tumults, raised in Opposition to the Execution of the Laws and Statutes of this Realm, should be discouraged from the proper Discharge of their Duty, by an Apprehension, that in case of their being questioned for any Acts done therein, they may be liable to be brought to Trial for the same, before Persons who do not acknowledge the Validity of the Laws in the Execution whereof, or the Authority of the Magistrate in the Support of whom such Acts had been done :

- 2 In order therefore to remove every such Discouragement from the Minds of His Majesty's Subjects, and to induce them, upon all proper Occasions, to exert themselves in Support of the Public Peace of the Province, and of the Authority of the King and Parliament of *Great Britain* over the same; **Be it Enacted** by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if at any Time, within the Space of                      Years from and after the                      any Bill or Bills of Indictment shall be found against any Person for Murther, or other capital Offence, in the Province of the *Massachusetts Bay*, and it shall appear, by Information given upon Oath to the Governor, or in his Absence to the Lieutenant Governor, of the said Province, that the Fact was committed, by the Person indicted, while he was either in the Execution of his Duty as a Magistrate, for the Suppression of Riots, or in the Support of the Laws of Revenue, or that he was acting in his Duty as an Officer of Revenue, or acting under the Direction and Order of any Magistrate for the Suppression of Riots, or for the carrying into Effect the Laws of Revenue, or aiding and assisting in any of the Purposes aforesaid; and if it shall also appear, to the Satisfaction of the said Governor or Lieutenant Governor respectively, that an indifferent
- 3 Trial cannot be had within the said Province, in that Case it shall and may be lawful for the Governor or Lieutenant Governor to direct, that the Indictment shall be tried in some other of His Majesty's Colonies, or in *Great Britain*,



*Britain*, and for that Purpose to order the Person indicted to be sent under a sufficient Custody to the Place appointed for his Trial; and that there may be no Failure of Justice from the want of Evidence in such Cases, it shall and may be lawful for the Governor, or in his Absence the Lieutenant Governor, to settle and assess a reasonable Sum to be allowed for the Expences of such Witnesses as the Prosecutor, or the Person indicted, shall desire to be summoned; which Sum shall be advanced by the Commissioners of His Majesty's Customs, to the Witness, who, upon the Receipt thereof, shall enter into a Recognizance before a Judge of the Superior Court, to appear and give Evidence upon the Trial of such Indictment.

And be it further Enacted, That the Governor, or in his Absence the Lieutenant Governor, if he shall direct the Trial to be had in any other of His Majesty's Colonies, shall transmit the Indictment, together with the Recognizances of the Witnesses, under the Seal of the Province, to the Governor of such other Colony; who shall immediately issue a Commission of Oyer and Terminer, and deliver or cause to be delivered the said Indictment, with the said Recognizances, to the Chief Justice, and such other Persons as have usually been Commissioners of Oyer and Terminer there; who shall have Power to proceed upon the said Indictment, as if the same had been found before them, and the Trial shall thereupon proceed in like Manner, to all Intents and Purposes, as if the Offence had been committed in such Place: And in case the Governor, or in his Absence the Lieutenant Governor, shall direct the Trial to be had in *Great Britain*, he shall then transmit the Indictment, together with the Recognizances of the Witnesses, under the Seal of the Province, to One of His Majesty's principal Secretaries of State, who shall deliver or cause to be delivered the same, to the Master of the Crown Office, and the Indictment shall be tried in the next Term, at the Bar of the Court of *King's Bench*, in like Manner, to all Intents and Purposes, as if the Offence had been committed in the County of *Middlesex*.

A  
B I L L  
F O R

The impartial Administration of  
Justice in the Cases of Persons  
questioned for any Acts done by  
them in the Execution of the  
Law, or for the Suppression of  
Riots and Tumults, in the Pro-  
vince of the Massachusetts Bay,  
in New England.

1774.